

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
STACIA LANETTE PENDLETON)	CASE: A18-61944-JRS
)	
)	
DEBTOR)	

**CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION
AND EXEMPTIONS AND MOTION TO DISMISS CASE**

COMES NOW, Nancy J. Whaley, the Standing Chapter 13 Trustee herein, and objects to Confirmation of the plan for the following reasons:

1.

The Debtor's payments under the proposed plan are not current, thus indicating that this plan is not feasible. 11 U.S.C. Section 1325(a)(6).

2.

The plan as proposed will extend to sixty-one (61) months, which exceeds the sixty (60) months allowed by 11 U.S.C. Section 1322(d).

3.

The Trustee requests documentation of the details of Debtor's pending personal injury settlement and approval of the settlement by the Bankruptcy Court. 11 U.S.C. Section 521, 11 U.S.C. Section 1325(a)(3), and 11 U.S.C. Section 1325(b)(1)(B).

4.

After review of scheduled income and anticipated household expenses, Debtor's proposed budget may fail to provide sufficient funds for ordinary living expenses in possible violation of 11 U.S.C. Section 1325(a)(6).

5.

The Chapter 13 Schedules reflect an exemption of an unknown dollar amount for Debtor's interest in a personal injury claim. The "unknown" section reference fails to meet an allowable exemption in accordance with O.C.G.A. Section 44-13-100.

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Debtor's exemptions, deny Confirmation of the Debtor's plan, and to dismiss the case.

This the 30th day of August, 2018.

Respectfully submitted,

/s/_____
Maria C. Joyner
Attorney for the Chapter 13 Trustee
State Bar No. 118350

CERTIFICATE OF SERVICE

Case No: A18-61944-JRS

This is to certify that I have this day served the following with a copy of the foregoing Chapter 13 Trustee's Objection To Confirmation And Exemptions And Motion To Dismiss Case by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage thereon.

Debtor(s)

STACIA LANETTE PENDLETON
186 WHETSTONE WAY
VILLA RICA, GA 30180

By Consent of the parties, the following have received an electronic copy of the foregoing Chapter 13 Trustee's Objection To Confirmation And Exemptions And Motion To Dismiss Case through the Court's Electronic Case Filing system.

Debtor(s) Attorney:

SLIPAKOFF & SLOMKA, PC
se@myatl1law.com

This the 30th day of August, 2018.

/s/ _____

Maria C. Joyner
Attorney for the Chapter 13 Trustee
State Bar No. 118350
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303